

No. 1834-4Lab-75/22587.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Raja Steel Rolling and Fabricating Mills, Daultabad Road, Gurgaon.

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 7 of 1975

between

SHRI RAM KISHAN, WORKMAN AND THE MANAGEMENT OF M/S RAJA STEEL
ROLLING AND FABRICATING MILLS, DAULTABAD ROAD, GURGAON.

Present.— Nemo, for the workman.

Shri Harish Chander Khanna, for the management.

AWARD

By order No. ID/GG/84-B-74/41259, dated 30th December, 1974 of the Governor of Haryana, the following dispute between the management of M/s Raja Steel Rolling and Fabricating Mills, Daultabad Road, Gurgaon and its workman Shri Ram Kishan was referred for adjudication to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ram Kishan was justified and in order? If not, to what relief is he entitled?

The parties were called upon to put in their respective pleadings. The workman concerned has chosen not to appear in person or through authorised representative to pursue his claim. On the other hand, it has been stated on behalf of the management that it is a case of self-abandonment of service by the workman concerned.

Statement of Shri Harish Chander, Khanna, Manager has been recorded. According to him, the workman in the factory had been laid off with effect from 27th April, 1974 and the lay off was lifted with effect from 1st June, 1974 but Shri Ram Kishan had not attended the factory during the period of lay off nor thereafter. He has further stated that he was called through a messenger to come and report for duty but he had refused to do so since he had got an alternative job in some other concern in Delhi and was no longer interested to work in this factory. An extract from the relevant entries in the attendance register Exhibit M-1 has also been produced.

In view of the above, no further proceedings are called for in the case and there is apparently no reason to disbelieve the statement on oath of Shri Harish Chander Khanna, Manager, which finds further support in the relevant entries in the attendance register, especially when the workman has not himself coming forward to pursue his claim. Shri Ram Kishan workman concerned having remained absent from duty for the whole month of June, 1974 after the lay off had been lifted, without any leave or proper authorisation, his services automatically stood terminated due to his above conduct and the question of the termination of his services by the management of its justification does not arise for determination. In the circumstances, he is not entitled to any relief by way of reinstatement or payment of back dues. The award is made accordingly but without any order as to costs.

Dated the 27th January, 1975.

O.P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 106, dated 27th January, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 27th January, 1975.

O.P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.